



Developmental Disabilities Provider Payment Changes

Facts for Individuals, Their Families, and Guardians

July 1, 2016

What is changing?

- North Dakota is changing the way it pays providers of developmental disability services by paying providers based on the unique needs of each person and the staffing hours needed to support them.

Why is the Department of Human Services (DHS) making this change?

- In 2011, the North Dakota Legislature enacted Senate Bill 2043, which required the department to develop, in cooperation with service providers, a new payment system involving individualized rates, based on individual needs, using these assessments: **Support Intensity Scale (SIS)** for adults (defined as age 16 and older) and the **Inventory for Client and Agency Planning (ICAP)** for children (birth through age 15). This change in state law directs funding to follow individuals, and staffing levels to be based on individual needs.

What services will be affected by this change?

- Affected services include: day supports, congregate care, transitional community living facility (TCLF), minimally supervised living arrangement (MSLA), individualized supported living arrangement (ISLA), specialized placement, family care option III, intermediate care facility for the intellectually disabled (ICF/ID), supported living arrangement (SLA), and extended services.

When will the new payment method be implemented?

- North Dakota plans to begin using the new payment method on January 1, 2017.

How was the new payment method developed?

- DHS established a steering committee in 2011 that consists of representatives from developmental disabilities providers and DHS. This group has been meeting regularly and continues to meet to implement the new payment method and address any potential issues. DHS hired a consultant to analyze and develop new rates, and connect funding to the assessed needs of individuals.

Why were these assessments chosen?

- North Dakota is using nationally-recognized assessments that are used in many states to determine individual needs and staffing.
- In 2009, a consultant recommended the SIS assessment, and it is now in state law.

Who will be completing the assessments (SIS/ICAP)?

- DHS is contracting with a third party vendor, the Rushmore Group, to complete the assessments.

How are rates and hours of staffing assigned to each person?

- **SIS assessment:** A process was developed that weighs sections (Home Living Activity, Community Living Activity, Health and Safety Activities, and Exceptional Medical and Behavioral Support Needs) to identify the number of hours of staffing a person qualifies for per day.
- **ICAP assessment:** A process was developed that weighs all sections of the ICAP to identify the number of hours of staffing a participant qualifies for per day.
- The methodology the steering committee selected is used for each person.

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What happens if the staffing hours in a day are more than a person currently receives?

- The team will discuss if the additional hours are appropriate. If so, staffing adjustments may be made after January 1, 2017. If the team does not feel the hours are needed, this will be shown in the Overall Service Plan.

What happens if a person may need more hours of staffing than the new process identifies?

- The steering committee has developed an outlier process to address these situations. It factors in a person's unique medical and behavioral needs.
- The Developmental Disabilities Program Manager (DDPM) or the provider will schedule a team meeting to discuss the person's needs, and will complete the outlier request form if appropriate.
- DHS will review the request and make a decision based on the information provided and policy.

What happens if a provider is unable to support a person with the hours allocated to the person?

- The DD program manager will work with the rest of the person's team to find another provider that can support the person's needs.

What happens if the person, family, or guardian does not agree with the staffing hours decision?

- Decisions are based on individual needs and factor in behavioral and medical needs.
- DHS is reviewing outlier requests and has also asked providers to keep a list of people who do not qualify as outliers now. This information will be reviewed by DHS and the steering committee to make sure the change in payment does not affect health and safety.
- The person's team currently meets at least annually to discuss service needs and will be monitoring needs and supports.
- For adults (16 and over), a new assessment will be done every three years, unless a major life-changing event occurs prompting a new assessment. This assessment may result in a change in staffing levels.
- A new assessment will be done annually for children (birth through 15), unless there is a major life-changing event, which requires a new assessment. Staffing levels may change based on the results.
- The person, family, or guardian can discuss options with the provider, such as shared staffing, assistive technology to promote independence, etc.

Does the new payment system apply to everyone receiving developmental disabilities services?

- The new payment system, which is required by state law and follows a national trend toward payment systems based on individual service needs, applies to the services listed above and people receiving those services.

Do people receiving services have to do anything to change to the new payment method?

- No. The service provider and DHS (DD program manager, program administrator and division) will be working together to schedule team meetings, if needed, to discuss funding levels, make changes to authorizations, and update a person's plan information if appropriate.

Who should people contact if they have questions?

- Division staff are available to answer any questions about the new payment method and can be reached at 701-328-8930, toll-free 800-755-8529, or ND Relay TTY 800-366-6888.